

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FLORICA BULIGA,

Plaintiff,

- against -

B.M.W. CORP.,

Defendant.

23-cv-11245 (JGK)

ORDER

JOHN G. KOELTL, District Judge:

On April 25, 2025, Court ordered the plaintiff to show cause why this action should not be dismissed for lack of personal jurisdiction. ECF No. 23. On June 23, 2025, the plaintiff moved to transfer venue to the to the United States District Court for the District of New Jersey pursuant to 28 U.S.C. § 1404(a) or 28 U.S.C. § 1406(a). ECF Nos. 26, 27.

The plaintiff contends that such a transfer would be proper because BMW of North America, LLC ("BMW NA") has its principal place of business in New Jersey. Id. The complaint, however, alleges no claims against BMW NA; rather, liberally construed, the complaint alleges wrongdoing by a United Kingdom subsidiary of B.M.W. Group. See Compl. at 3-6.

Both § 1404(a) and § 1406(a) permit transfers of venue only to a district where the plaintiff could have brought the action in the first instance. 28 U.S.C. § 1404(a) (permitting transfers to "any other district or division where [the case] might have

been brought"); § 1406(a) (same as to "any district or division in which [the case] could have been brought"). And the plaintiff has not shown that the defendant could have been sued in New Jersey in the first instance. Therefore, the plaintiff's motion to transfer venue is **denied**.

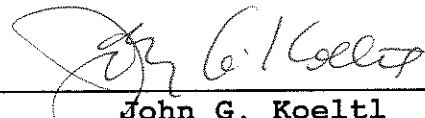
For the foregoing reasons, and for the reasons stated in this Court's Order to Show Cause (ECF No. 23), this case is **dismissed without prejudice**.

The Clerk is respectfully directed to send this Order to the plaintiff by physical mail and by email to dianabuliga@gmail.com.

The Clerk is also respectfully directed to close any pending motions, cancel any conferences, and to close this case.

SO ORDERED.

Dated: New York, New York
June 25, 2025



John G. Koeltl
United States District Judge